

**CCDLA**  
*"Ready in the Defense of Liberty"*  
*Founded 1988*

**Connecticut Criminal Defense  
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**GOVERNOR'S BILL NO. 6391  
AN ACT CONCERNING PENALTIES FOR CERTAIN DRIVING  
UNDER THE INFLUENCE OFFENSES, OFFENDER RISK  
REDUCTION EARNED CREDITS AND HOME CONFINEMENT FOR  
CERTAIN NONVIOLENT DRUG OFFENDERS  
MARCH 14, 2011**

**TESTIMONY OF JAMES O. RUANE, EXECUTIVE BOARD  
MEMBER AT LARGE, OF THE CONNECTICUT CRIMINAL  
DEFENSE LAWYERS ASSOCIATION IN SUPPORT OF  
GOVERNOR'S BILL NO. 6391**

Chairman Coleman, Chairman Fox, and Distinguished Members of the Judiciary Committee:

The Connecticut Criminal Defense Lawyers Association (CCDLA) is a statewide organization of approximately 350 licensed lawyers, in both public and private sectors, dedicated to defending persons accused of criminal offenses. Founded in 1988, CCDLA works to improve the criminal justice system by ensuring that the individual rights guaranteed by the Connecticut and United States constitutions are applied fairly and equally and that those rights are not abridged.

**CCDLA SUPPORTS GOVERNOR'S BILL NO. 6391**

CCDLA is firmly committed to creating a judicial system, which meets the needs of the Connecticut community through the least restrictive and most cost effective means. Today, we invite this Honorable Committee and ultimately the General Assembly and Governor Dannel P. Malloy to examine the current DUI statutory scheme in Connecticut and to find, as we and many others have found, that it serves no useful or necessary purpose and that the same goals may be achieved through the less restrictive means of electronic monitoring, at a substantially lower cost to the state.

One of the primary goals of the DUI statutes in Connecticut is to deter individuals from driving under the influence and prevent recidivism in individuals

who have already been convicted. While many offenders do not have a problem abstaining from alcohol abuse while incarcerated, once the offender leaves the Department of Corrections they are put back into the situation that allowed for alcohol abuse in the first place. The proposed bill develops a plan, using technology available right now, to provide offenders the opportunity to build a day-to-day life abstaining from alcohol abuse even though it is easily accessible. This plan increases an offender's chances of maintaining an alcohol abuse free life.

Enactment of Governor's Bill No. 6391 would result in a substantial economic benefit to the State. The Connecticut Department of Corrections estimates that it costs approximately \$89.68 each day an individual is incarcerated in the Connecticut correctional system (<http://www.ct.gov/doc/cwp/view.asp?a=1492&q=265472>). In comparison, the average cost of appropriate supervision in the community is \$32.66 per day. Enactment of this bill provides Connecticut the opportunity to save \$57.02 every day an individual is supervised in his home, rather than in the correctional system. As a result, the State of Connecticut will save, on average, \$114.04 for a first time offender spending the mandatory minimum 48 hours incarcerated; \$6,840 for a second time offender spending the mandatory minimum 120 days incarcerated; and \$20,812.30 for a third time, or subsequent offender, serving the mandatory minimum of one year incarcerated. Some of the savings could be redirected to police departments, probation offices, substance abuse treatment and prevention programs, particularly in at-risk communities. And it could be done without sacrificing community safety.

The bill also would alter the suspension duration for a first offense DUI to allow for person's to operate a motor vehicle after a 90 day period of a "hard" suspension, followed by a period of permitted driving with an ignition interlock device installed on their automobile. This also serves an important function of rehabilitation as outlined above, i.e., allows an offender to develop habits avoiding alcohol abuse within the confines of a monitored program so that opportunities to develop good habits exist and the ability to intercept potentially harmful situations before harm occurs.

Thus, for these reasons we respectfully urge this Honorable Committee, the General Assembly and Governor Malloy to enact Governor's Bill No. 6391.

Thank you.

The Connecticut Criminal Defense Lawyers Association,

By   
Attorney James O. Ruane, Executive Board Member at Large